

## CHAPTER 5

### R-2 TWO-FAMILY RESIDENTIAL

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#### **14-5-101 PURPOSE AND OBJECTIVES**

The Two-Family Residential Zone (R-2) is established to provide a residential environment within the City which is characterized by attractively landscaped single-family and two-family residential lots and structures. This zone is intended to have a residential density slightly higher than the R-1 Zone, but to maintain a residential character comparable to that of a single-family residential area with large landscaped front yards. Representative uses in this zone are one and two family dwellings, home occupations, parks, playgrounds, schools, and churches.

#### **14-5-102 PERMITTED USES**

All uses contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Department.

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
1111	Single Family Dwelling - Detached
1121	Two Family Dwelling (Duplex)

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
1241 <sup>1</sup>	Residential facility for elderly persons, subject to the conditions of Sections 10-9-501 et seq of the Utah Code and Section 14-14-120 of the Bountiful Zoning Ordinance.
1290 <sup>2</sup>	Residential facility for persons with a disability as defined in Section 10-9-605 of the Utah Code, subject to the requirements of Section 14-14-121 of the Bountiful Zoning Ordinance.
4800	Utilities (lines and right-of-ways only) (Except 4850)
6730	Postal services
6811	Kindergarten schools
6812	Elementary schools
6813	Junior high schools
6814	Senior high schools
6815	Preschool Group Instruction/Day Care - In single family dwelling units or duplex units with adequate, accessible outside play areas with no more than eight (8) children including those residing in the dwelling. <sup>3</sup>
6911	Churches, synagogues, temples <sup>4</sup>

Accessory uses and structures which are customarily incidental to the above and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to the following:

- A. Accessory buildings such as garages, carports, bath houses, private satellite antennas, private greenhouses, gardening sheds, recreation rooms and similar structures which are customarily used in conjunction with the principal use or structure.

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<sup>1</sup>Amended 10/22/97 Ordinance No. 97-31

<sup>2</sup>Amended 10/22/97 Ordinance No. 97-31

<sup>3</sup>Amended 5/19/99 Ordinance No. 99-11

<sup>4</sup>Amended 6/16/99 Ordinance No. 99-15

- B. Private swimming pools, tennis courts, sports courts, and other similar private recreational uses.
- C. Vegetable/flower gardens and noncommercial orchards.
- D. Home occupations subject to the regulations of the business licensing procedures of Bountiful City.
- E. Storage of materials used for construction of a building, including the contractor's temporary office, provided that such use is on the building site or immediately adjacent thereto and provided further that such use shall be permitted only during the construction period and thirty (30) days thereafter.
- F. Household pets as provided by the Animal Control Ordinance of Bountiful City.
- G.<sup>5</sup> An accessory in-law apartment may be established by special permit approved by the Planning Director and shall meet the following criteria:
  - 1. Any accessory in-law apartment shall be established only within a single-family dwelling and by building permit in accordance with the International<sup>6</sup> Building Code. Accessory in-law apartments may not be located in a duplex or multiple family dwelling unit.
  - 2. Occupancy and use of any accessory in-law apartment shall be by members of the immediate family of the principal owner-occupants of the dwelling to include and be limited only to legal dependents, children, parents, grandchildren and grandparents. Other relatives or special circumstances may be considered by conditional use permit.
  - 3. Separate utility service connections shall not be allowed.
  - 4. Common access between units shall be provided.
  - 5. The structure's exterior appearance and the entrances to the dwelling shall be consistent with a single family residence.
  - 6. Water and sewer systems must be adequate to handle the additional unit.
  - 7. Adequate off-street parking shall be provided for both the primary residential use and the accessory in-law apartment using existing driveways only and

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<sup>5</sup>Amended 11/19/98 Ordinance No. 98-22

<sup>6</sup>Amended 5/14/2002 Ordinance No. 2002-08

shall be in compliance with Chapter 18 of this ordinance.

8. A deed restriction must be filed with the County Recorder which states:

A permit for an accessory in-law apartment was issued to \_\_\_\_\_, the current owner of this property on \_\_\_\_\_ by Bountiful City. This permit does not run with the land and is automatically invalidated by the sale or transfer of this property. Prospective purchasers should be advised that only one dwelling unit may exist on the property unless a new permit for the accessory in-law apartment is issued to any new owner.

#### **14-5-103    CONDITIONAL USES**

The following uses and structures are permitted in the R-2 Zone only after a Conditional Use Permit has been approved by the Planning Commission and subject to the terms and conditions thereof:

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
1112	Single family dwellings - attached (In approved Planned Unit Developments only)
4711	Telephone exchange stations
4712	Telephone relay towers, microwave or other
4719	Other telephone communication
4722	Telegraph transmitting and receiving stations (only)
4729	Other telegraph communications
4732	Radio transmitting stations and relay towers
4739	Other radio communication
4742	Television transmitting stations and relay towers
4749	Other television communication
4790	Other communication
4800	Utilities (except lines and right-of-ways)
6242	Cemeteries

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
6720	Protective functions and related activities
6815	Preschool Group Instruction/Day Care - In single family dwellings only with not more than twelve (12) children as per Utah State Department of Health licensing requirements, or where not more than twelve (12) children will be receiving instruction at any given time. For preschools, there shall be no more than two (2) sessions per day lasting no more than four (4) hours with no child attending more than one (1) session per day. <sup>7</sup>
6816	Denominational and sectarian schools
6817	Schools for handicapped
7111	Libraries
7411	Golf Courses - Public
7412	Golf Courses - Private
7413	Tennis courts - public (as part of a public park only)
7420	Playgrounds and athletic areas
7432	Swimming pools - public (as part of a public park only)
7492	Picnicking areas - public
7600	Parks

Accessory uses and buildings customarily associated with and incidental to the above (such as restrooms, concession stands, etc.).

#### **14-5-104 LOT AREA**

The minimum area of any lot or parcel of land in the R-2 Zone shall be six thousand five hundred (6,500) square feet for single family dwellings and ten thousand (10,000) square feet for two-family dwellings.

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<sup>7</sup>Amended 5/19/99 Ordinance No. 99-11

#### **14-5-10 LOT WIDTH<sup>8</sup>**

Each lot or parcel of land in the R-2 Zone, except corner lots, shall have a minimum width of seventy (70) feet for single family dwellings and eighty (80) feet for two family dwellings at the building setback line.

Each corner lot or parcel shall be ten (10) feet wider than the minimum required for interior lots.

#### **14-5-106 LOT FRONTAGE<sup>9</sup>**

Each lot or parcel of land in the R-2 Zone shall abut a public street for a minimum distance of forty-five (45) feet on a line parallel to the center line of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

#### **14-5-107 REPEALED<sup>10</sup>**

#### **14-5-108 LOT AREA PER DWELLING**

Not more than one detached single family dwelling, or one two-family dwelling (duplex) shall be placed upon each lot or parcel of land in the R-2 Zone.

#### **14-5-109 YARD REQUIREMENTS**

The following minimum yard requirements shall apply in the R-2 Zone:

- A. Front Yard. Each lot or parcel shall have a front yard setback of not less than thirty (30) feet from the front lot line.
- B. Side Yard - Interior Lots. Each interior lot or parcel of land shall have a minimum side yard of eight (8) feet with a total combined of sixteen (16) feet.
- C. Side Yard - Corner Lots. On each corner lot or parcel of land, the side yard contiguous to the street shall not be less than twenty (20) feet, and shall not be used for vehicle parking, except such portion as is devoted to driveway use for access to a garage or carport.
- D. Side Yard - Driveway. When used for access to a garage, carport, or parking area, a side

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<sup>8</sup>Amended 2/23/94 Ordinance No. 94-3

<sup>9</sup>Amended 10/5/94 Ordinance No. 94-16

<sup>10</sup>Amended 8/10/2004 Ordinance No. 2004-13

yard shall be wide enough to provide an unobstructed twelve (12) foot paved driveway.

- E.<sup>11</sup> Side Yard - Accessory Building. No accessory buildings shall be allowed in any required side yard.
- F. Rear Yard. Each lot or parcel shall have a rear yard of no less than twenty (20) feet.
- G. Rear Yard - Irregular Lots. On lots which are not rectangular in shape, the required minimum rear yard may be an average of the distances measured from the rear corner of the main building directly to the rear lot line. The shortest distance used in determining the average shall not be less than fifteen (15) feet.
- H.<sup>12</sup> Rear Yard - Accessory Building. An accessory building may be located within three (3) feet of ~~on~~ the rear property line if:
  - 1. It is located more than five (5) feet to the rear of any main building on the same lot on which said building is being placed.
  - 2. It is no closer than twelve (12) feet to any dwelling on an adjacent property.
  - 3. It meets all of the provision of the International<sup>13</sup> Building Code.
  - 4. It does not encroach on any easements, recorded or otherwise.

#### **14-5-110 PROJECTIONS INTO YARDS**

A. The following structures may be erected on or project into any required yard:

- 1. Fences and walls in conformance with City codes or ordinances.
- 2. Landscape elements, including trees, shrubs, agricultural crops and other plants.
- 3. Necessary appurtenances for utility service.

B. The structures listed below may project into a minimum front or rear yard not more than four (4) feet, and into a minimum side yard not more than two (2) feet:

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<sup>11</sup>Amended 8/23/95 Ordinance No. 95-19, 10/16/96 Ordinance No. 96-13, and 1/3/2001 Ordinance No. 2001-01

<sup>12</sup>Amended 8/23/95 Ordinance No. 95-19 and 10/16/96 Ordinance No. 96-13

<sup>13</sup>Amended 5/14/2002 Ordinance No. 2002-08

1. Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.
2. Fireplace structures and bays, provided that they are not wider than eight (8) feet, measured generally parallel to the wall of which they are a part.
3. Stairways, balconies, door stoops, fire escapes, awnings, and planter boxes or masonry planters exceeding twenty-four (24) inches in height.
- 4.<sup>14</sup> Any permanent roof or canopy attached to the main building which covers a use customarily recognized as an open, outdoor use, such as a patio, patio deck, hot tub, etc., may extend into the rear yard no farther than one-half the required rear yard set-back distances, if the roof or canopy:
  - a. Is not more than one story in height.
  - b. Is no longer than the width or depth of the side of the main dwelling on which it is located.
  - c. Is entirely open on three sides except supporting columns and customary architectural features.

Such attached structures are not allowed to project into any side yard abutting a street on a corner lot.

#### **14-5-111 BUILDING HEIGHT<sup>15</sup>**

No lot or parcel of land in the R-2 Zone shall have a building or structure used for dwelling which has more than two (2) stories and which exceeds a height thirty-five (35) feet. Chimneys, flagpoles, church towers and similar structures not used for human occupancy are excluded in determining height.

#### **14-5-112 DISTANCE BETWEEN BUILDINGS**

The distance between any dwellings on adjacent lots shall not be less than sixteen (16) feet. The distance between any accessory building and any dwelling shall not be less than five (5) feet. The distance between any accessory building and any dwelling on adjacent property shall not be less than twelve (12) feet.

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<sup>14</sup>Amended 3/5/97 Ordinance 97-5

<sup>15</sup>Amended 9/24/97 Ordinance 97-27



#### **14-5-113 PERMISSIBLE LOT COVERAGE<sup>16</sup>**

In an R-2 Zone, all buildings, including accessory buildings and structures, and all impervious surfaces such as driveways, sidewalks, patios, parking areas, sports courts and pools shall not cover a total of more than sixty percent (60%) of the area of the lot or parcel of land. For institutional uses, such as churches, private schools, and public buildings, the approving authority may increase the amount of impervious surface area to up to seventy percent (70%), but only if the additional area provides a direct public benefit.

#### **14-5-114 PARKING, LOADING AND ACCESS**

Each lot or parcel in the R-2 Zone shall have on the same lot or parcel offstreet parking sufficient to comply with Chapter 18 of this Ordinance. Said spaces shall be paved with asphaltic cement or concrete, and shall be provided with a paved access from a public street. Required parking spaces shall not be provided within a required front yard, including driveways.

#### **14-5-115 SITE PLAN APPROVAL**

Site plan approval is required for any non-residential permitted or conditional use in the R-2 Zone as per Chapter 2, Part 3 of this Ordinance.

#### **14-5-116 OTHER REQUIREMENTS**

A. Signs. Unless otherwise prohibited by law, signs of the type and description listed below, and not others, may be placed and maintained in the R-2 Zone.

1. Signs or name plates not exceeding one (1) square in size and displaying only the name and address of the occupant.
2. One flat or wall sign placed on the dwelling which does not exceed one and one-half (1 ½) square feet identifying a home occupation.
3. Two temporary signs with a maximum area of six square feet each, pertaining to the sale, lease, or of the particular building, property, or premises which displayed, and no others.
4. Signs or monuments identifying points of interest or sites of historic significance. The size of said or monuments shall be specifically approved by the City Council.

B. Landscaping. The following landscaping provisions shall apply in the R-2 Zone:

1. All open areas between the front line and the rear of the main building, except driveways, parking walkways, utility areas, improved decks, patios, porches, etc., shall

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<sup>16</sup>Amended 6/08/2004 Ordinance 2004-09

be maintained with suitable landscaping of plants, trees, shrubs, grass and similar landscaping materials.

- 2.<sup>17</sup> Landscaping shall also be installed in all parkstrips to the same standards as other on-site landscaping. Asphalt or concrete paving, any other solid type material such as brick, stone or railroad ties, or loose gravel or landscape rock in place of landscaping between sidewalk and curb is prohibited.

C. Trash Storage.<sup>18</sup> No trash, garbage, refuse, unsightly or deleterious objects or structures, or use materials, shall be allowed or permitted upon any property. Storage of commercial goods or materials is expressly prohibited.

D. Walls and Fences. All walls and fences erected or maintained in the R-2 Zone shall comply with the provisions of Chapter 17 of this Ordinance.

E.<sup>19</sup> Lot and Access Design. Single family dwelling structures located such that any part of the structure is farther than one hundred fifty (150) feet from the street as measured along the center line of a driveway or access road to the nearest point of and around the perimeter of the structure, must be approved by the Bountiful Fire Chief prior to a building permit being issued. Single family structures, located farther than two hundred (200) feet from the nearest public street as measured from the public street along the centerline of the driveway or access road to the nearest point of the structure, must be granted an exception from the City Council prior to a building permit being issued. In no event shall such exception be granted beyond five hundred (500) feet from the public street as measured along the center line of the driveway or access road to the nearest point of the structure. The following conditions are conditions precedent to the granting of such an exception:

1. A recommendation from the Planning Commission that such an exception be granted.
2. An access road or driveway shall be provided which meets the following standards:
  - a. Surface. An all-weather surface capable of supporting the imposed load of fire apparatus shall be provided. If constructed of asphalt, the access road or driveway shall be a minimum of two and one-half (2 ½) inches of asphalt over a minimum of six (6) inches of compacted road base. If constructed of concrete, the access road or driveway shall have a minimum of five (5) inches of concrete over a compacted road base.

The access road or driveway shall be maintained by the property owner or

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<sup>17</sup>Amended 11/15/95 Ordinance No. 95-23

<sup>18</sup>Amended 8/13/2002 Ordinance No. 2002-15

<sup>19</sup>Amended 1/3/2001 Ordinance 2001-01

possessor of the premises in good condition and repair and with adequate snow removal so as to provide free and uninhibited access by emergency service vehicles.

- b. Width. The access road or driveway shall be a minimum of twenty (20) feet wide. Where such roadway is adjacent to required fire hydrants, the width shall be a minimum of twenty-six (26) feet within twenty (20) feet in either direction from the hydrant. Such required widths shall be unobstructed, including parking of vehicles, and shall have a minimum vertical clearance of thirteen (13) feet six (6) inches.
- c. Turn-arounds, Curves and Turns. A turn-around shall be provided at the end of the access road or driveway in accordance with the standards and specifications of Article 10 of the International<sup>20</sup> Fire Code and in accordance with the minimum requirements of Figure 13-1.

The minimum turning radii for all turns and/or curves shall conform to the forty-five (45) foot radius single unit truck or bus contemplated in Figure 13-4.

If access roads are not looped, then the provided dead end access road shall meet the requirements in Figure 13-2.

- d. Distance to Buildings. Any access road or driveway shall be extended to within one hundred fifty (150) feet of all portions of the exterior walls of the first story of any building.
- e. Maximum Grade. The maximum grade for access roads or driveways shall be fifteen (15) percent as measured along the centerline of the access road or driveway.
- f. Signs. Property owners shall be required to identify and mark fire lanes to the satisfaction and approval of the Fire Chief. Signs shall be posted near the entrances of access roadways and driveways. Spacing and placing of signs shall be subject to the approval of the Fire Chief. Signs shall be a minimum of twelve (12) inches by eighteen (18) inches in two and one-half (2 ½) inch block lettering with one-half ( ½ ) inch stroke on a contrasting background. Signs shall read "No Parking - Fire Department Access Road".
- g. Water System for Fire Protection. The property owner or possessor of the premises shall be responsible for establishing the base grade of the access road or driveway before the water system is installed. The property owner or possessor shall clear the right-of-way for the water system and establish the proposed fire

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<sup>20</sup>Amended 5/14/2002 Ordinance No. 2002-08

hydrant locations and grades by use of an offset stake. The City shall install the water system and set the fire hydrant to the grade established by the owner. If there are any changes to the access road or driveway or right-of-way areas which do not allow for a minimum of forty-two (42) inches of cover over the water line or not more than four (4) inch vertical difference between the flange of the fire hydrant and the finished surface of the access road or driveway, the owner shall be responsible for all expenses associated with the relocation or adjustment to the water system.

Lots shall not be allowed or approved where the static water pressure from the City water system serving the proposed lot or lots is less than forty (40) pounds per square inch.

- h. Fire Hydrants. A fire hydrant shall be installed by Bountiful City at the expense of the property owner and shall be connected by a six (6) inch water line from the water main. The hydrant shall be located in accordance with Article 10 of the International<sup>21</sup> Fire Code. Fire hydrants shall be located on all required access roads or driveways as required by Bountiful City and shall be located within five (5) feet of the required access road or driveway.

If, in the opinion of the Fire Chief, fire hydrants are vulnerable to vehicular damage, appropriate crash posts shall be required. No obstruction shall exist within a three (3) feet working area of each fire hydrant. Required crash posts shall be a four (4) inch concrete filled pipe, having a minimum of three (3) feet in height above grade, with two (2) feet of pipe below grade set in concrete. Hydrant shut-off valves shall be located no closer than five (5) feet from the hydrant and no further than twenty (20) feet.

- i. Easements. The property owner shall grant unto the City an easement along the court and full width of the access road or driveway permitting access to City emergency and service vehicles and inspection personnel. In addition, the property owner shall grant unto the City a utility easement extending from the public street to the fire hydrant and having a minimum width of twenty (20) feet for the purpose of use, operation, maintenance and repair of such hydrants and water line. (Figure 13-3)
- 3. All of the required improvements shall be installed at the lot or property owner's expense.
  - 4. All single-family dwelling structures shall have installed at the time of construction and continuously maintained, a pressure interior fire protection sprinkling system that complies with the minimum standards of the International Building Code and the

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<sup>21</sup>Amended 5/14/2002 Ordinance No. 2002-08

#### **14-5-117 ZERO LOT LINE DEVELOPMENT AND CONVERSIONS**

Zero lot line developments or conversions may be permitted by a Conditional Use Permit granted by the Planning Commission in the R-2 Zone under the following provisions:

- A. Lots in New Subdivisions. In new subdivisions of more than ten (10) lots, not more than fifty percent (50%) of the total lots may be developed as zero lot line dwellings.
- B. Lots not in Subdivisions. Platted, approved, undeveloped lots not in new subdivisions may be developed singly as zero lot line dwellings.
- C. Existing Duplex Conversions. Existing duplexes may be converted to separate ownership for zero lot line dwellings, provided both sides of the conversion meet minimal lot size requirements. All appropriate building code requirements for condominium construction shall apply.
- D. Development Standards.
  - 1. Lot Frontage and Width. Each zero lot line dwelling lot shall have a minimum frontage on a public street and a minimum width at the front setback line of forty (40) feet.
  - 2. Minimum Lot Size. The minimum lot size for each zero lot line dwelling in the R-2 Zone shall be five thousand (5,000) square feet.
  - 3. Yard Regulations.
    - a. Front Yard. The front yard setback shall be the same as is required for the R-2 Zone.
    - b. Side Yard. The side yard setback shall be at least twenty percent (20%) of the lot frontage, or ten (10) feet, whichever is greater. On corner lots, the zero side yard shall never occur on the street side.
    - c. Rear Yard. The rear yard setback shall be the same as is required for the R-2 Zone.
  - 4. Lot Coverage. No more than fifty percent (50%) of the lot may be occupied by a zero lot line dwelling and any accessory buildings.

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<sup>22</sup>Amended 5/14/2002 Ordinance No. 2002-08

5. Building Height. Zero lot line dwellings shall have a maximum building height of thirty-five (35) feet.
6. Openings on the Zero Lot Side. On detached buildings, no windows, doors, or other openings shall be allowed on the zero lot line side.
7. Parking. A minimum of two (2) off-street parking spaces shall be provided for each zero lot line dwelling.
8. Lots Bordering Standard Lots. Where a zero lot line lot borders a standard, non-zero lot line lot, the zero lot line side shall be opposite the abutting lot line.